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RUEHBY/AMEMBASSY CANBERRA PRIORITY 7789  
RUEHUL/AMEMBASSY SEOUL PRIORITY 3743  
RUEHKO/AMEMBASSY TOKYO PRIORITY 9891  
RHHMUNA/CDR USPACOM HONOLULU HI PRIORITY  
RUEATRS/DEPT OF TREASURY WASHINGTON DC PRIORITY  
RUEKJCS/SECDEF WASHINGTON DC PRIORITY  
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SUBJECT: AMBASSADOR PRESSES MFA PERMSEC ON MARTIAL LAW

REF: BANGKOK 05036

Classified By: Ambassador Ralph L. Boyce, reasons 1.4 (b) and (d)

11. (C) Summary. The National Security Council October 12 proposed to lift martial law in eleven provinces and to impose martial law in three provinces. The Thai cabinet is expected to approve proposal October 16. The Ambassador called Ministry of Foreign Affairs Permanent Secretary Virasakdi Futrakul October 12 and 15 to press for the return to pre-coup state of martial law. Reaction from political parties is mixed with some saying that the law would not affect political campaigns. End Summary.

NSC TAKES TWO STEPS FORWARD AND ONE STEP BACK ON MARTIAL LAW  
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12. (U) Thai media reported that in a meeting chaired by Deputy Prime Minister Sonthi Boonyaratkalin, the Thai National Security Council (NSC) proposed October 12 to lift martial law in eleven provinces. The provinces where martial law would be lifted are Prachuap Khiri Khan, Phetchaburi, Ratchaburi, Khon Kaen, Chaiyaphum, Nakhon Ratchasima, Maha Sarakham, Roi Et, Kamphaeng Phet, Nong Bua Lamphu and Udon Thani. However, the NSC proposes to impose martial law in Nong Khai, Nakhon Phanom and Mukdahan provinces. (Note. These three Northeastern provinces rejected the 2007 constitution by ratios of over three to one in the Aug 19 referendum. End Note.) Martial law would remain in twenty-seven of Thailand's seventy-six provinces. General Sonthi explained that martial law is needed in these provinces because they are border provinces with criminal activities that pose threats to national security. The Thai cabinet will consider this proposal October 16.

13. (C) The Ambassador called Ministry of Foreign Affairs (MFA) Permanent Secretary Virasakdi October 12 before the NSC meeting and reiterated U.S. concerns over martial law in Thailand. The Ambassador noted that lifting martial law would be critical as Thailand prepares for general elections December 23. Virasakdi explained that the MFA would push within the RTG for the removal of martial law in all but the border provinces. The Ambassador urged the RTG to return to the pre-coup situation when martial law was in effect in only limited areas of border provinces.

14. (C) The Ambassador spoke with Virasakdi again October 15

to express disappointment with the decision by NSC. Virasakdi explained that several agencies had argued during the October 12 NSC meeting that the proposal that would allow martial law to remain in effect in twenty-seven provinces was unsound as it would raise doubts over political campaigning as Thailand approaches general elections. The Royal Thai Army (RTA), however, argued that the problems of cross-border narcotics trafficking and illegal immigration were sufficiently critical to substantiate martial law remaining in effect. The RTA also posited in the meeting that trafficking of narcotics is a source of funds for politicians who did not have the Thailand's best interest in mind. Based on Virasakdi's readout we expect the Thai cabinet to approve the proposal for martial law. If the cabinet approves, the decree would go to the King for endorsement as a royal decree.

#### POLITICAL PARTIES REACT

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16. (U) Reaction in the press from political parties to the NSC's proposal varied but was much as could be expected. Samak Sundaravej, leader of the People's Power Party that consists of many hard-line former Thai Rak Thai politicians, severely criticized the proposal saying that it would be shameful when the election date comes and those responsible for security had not lifted martial law. Democrat Party leader Abhisit Vejjajiva said martial law remains essential in areas considered unstable and the law would probably not affect free and fair elections as laws with stringent provisions are already in place. Similarly, Suwit Khunkitti, former Deputy Prime Minister under Thaksin Shinawatra and leader of the Motherland Party, said martial law would not

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cause problems with political campaigns because politicians had not encountered problems campaigning in areas under martial law in past elections.

#### COMMENT

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17. (C) Martial law is likely to remain in effect in these 27 provinces through most, if not all, of the election campaign.

The armed forces have so far made very limited use of martial law provisions, but this decision may still have a dampening effect on political activity in these areas. The government's arguments for imposing martial law on the three new provinces are simply not convincing -- the three have not been under martial law for years, and there is no evidence of a serious deterioration of the security situation along the Lao border. We will continue to press the government to lift martial law in the remaining provinces.

BOYCE